

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

**UNITED STATES OF AMERICA,**

Case No. 2:14-CR-304 JCM (VCF)

Plaintiff(s),

## ORDER

v.

HERBERT JOHNSON,

Defendant(s).

Presently before the court is the matter of *United States of America v. Johnson*, case no. 2:14-cr-00304-JCM-VCF. Herbert Johnson (“petitioner”) filed a motion to vacate, set aside, or correct sentence under 28 U.S.C. § 2255. (ECF No. 51). The court has examined the motion, which alleges relief due to *United States v. Davis*, 139 S. Ct. 2319 (2019). *Id.*

17 The United States of America (“respondent”) shall file a response within 21 days from the  
18 date of this order. Thereafter, petitioner will have 14 days to file a reply.

Accordingly,

IT IS HEREBY ORDERED that respondent shall file a response to petitioner's motion to vacate, set aside, or correct sentence (ECF No. 51) no later than 21 days from the date of this order. Petitioner may file a reply within 14 days.

23 The clerk is instructed to file this order in the instant matter and in the related civil case,  
24 no. 2:20-cv-01102-JCM.

DATED June 24, 2020.

Xem C. Mahan  
UNITED STATES DISTRICT JUDGE